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BROADCASTING

WEEKLY--37,500

SEP 24 1979

Debate snafu

**FEC proposal on sponsorship
of face-off by candidates
is vetoed by the Senate after
objections by FCC and broadcasters**

Congress and the Federal Election Commission last week were back to square one on the issues of political debates and their coverage by the media. The Senate on

Tuesday vetoed FEC regulations that the election commission said were intended to make the holding of such debates easier but that the media and the FCC said would have the opposite effect.

The proposed regulations, adopted in June subject to a veto by either House of Congress, were a response to a request from the League of Women Voters. The league was concerned about the problem of obtaining funds to defray the costs of the kind of presidential debates it sponsored in 1976 between President Jerry Ford and his challenger, Jimmy Carter.

The federal election law was seen as barring corporate and union funds for such purposes. And the regulations, the FEC maintains, would have permitted the contribution of such funds for debates between candidates for federal office if the sponsoring organization were nonpartisan and nonprofit, such as the league.

However, the language employed in the regulations was interpreted by some as barring broadcasters and newspapers from staging debates that they would then cover, as well as sharply limiting the use that could be made of corporate and union funds to pay the costs of televised political debates.

The FEC, in response to complaints by broadcasters that the regulations would violate their First Amendment rights, made several attempts to rewrite the regulations, but without success. Finally, the FCC two weeks ago urged Congress to veto the proposal, contending it would

reduce the amount of time broadcasters would devote to public issues. The FCC said that, since most broadcasters are corporations, they would be unable to stage debates in their studios since that would constitute a contribution to the candidates. Nor could broadcasters sell time to corporations or unions to defray the cost of a debate, the commission said.

Representative Frank Thompson (D-N.J.), chairman of the House Committee on Administration, then asked for clarification of the proposed regulations, and was told by the FEC: They "were never intended to address the issue of news media sponsorship of candidate debates." The FEC said it planned to initiate a rulemaking to deal with the issue.

But Senators Claiborne Pell (D-R.I.) and Mark Hatfield (R-Ore.), chairman and ranking minority member, respectively, of the Senate Rules Committee, were not satisfied. They introduced a resolution of disapproval on Tuesday, and it was approved.

The disapproval action leaves open two possible solutions to the problem the FEC attempted to address. That agency could try again to write regulations. Or Congress could amend the law itself to deal with the questions raised, and that seemed a real possibility.

A Senate Rules Committee aide noted that such an amendment could be attached to similar bills pending in the Senate and House that propose technical amendments to the federal election law.